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Dated: April 5, 2007

Signature: 

(William A. Dibilanca)

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Errico et al.

Application No.: 10/784,628

Group Art Unit: 3733

Filed: February 23, 2004

Examiner: Not Yet Assigned

For: INSTRUMENTATION FOR INSERTING AND
IMPACTING AN ARTIFICIAL
INTERVERTEBRAL DISC IN AN
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MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT &
REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)**

Dear Sir:

It is respectfully requested that the reference(s) listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference which is not a U.S. patent or patent application is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited reference(s) is/are legally available prior art or that the same is/are pertinent or material.


It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

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In the event that any additional fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: April 5, 2007

Respectfully submitted,

By 
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PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/784,628-Conf. #8401
				Filing Date	February 23, 2004
				First Named Inventor	Joseph P. Errico
				Art Unit	3733
				Examiner Name	J. Cumberledge
Sheet	1	of	4	Attorney Docket Number	SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2001/0010001-A1	04-29-2003	Michelson	
	AB*	US-2001/0016773-A1	08-23-2001	Serhan et al.	
	AC*	US-2001/0020170-A1	09-06-2001	Zucherman et al.	
	AD*	US-2002/0062131-A1	05-23-2002	Gallo, Sr.	
	AE*	US-2002/0082695-A1	06-27-2002	Neumann	
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	AG*	US-2002/0111681-A1	08-15-2002	Ralph et al.	
	AH*	US-2002/0111682-A1	08-15-2002	Ralph et al.	
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	AK*	US-2002/0116009	08-22-2002	Fraser et al.	
	AL*	US-2002/0161375-A1	10-31-2002	Ralph et al.	
	AM*	US-2002/0188295-A1	12-12-2002	Martz et al.	
	AN*	US-2003/0014057-A1	01-16-2003	Ralph et al.	
	AO*	US-2003/0014109-A1	01-16-2003	Ralph et al.	
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	AQ*	US-2003/0014112-A1	01-16-2003	Ralph et al.	
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	AS*	US-2003/0014114-A1	01-16-2003	Ralph et al.	
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	AA1*	US-2003/0028252-A1	02-06-2003	Ralph et al.	
	AB1*	US-2003/0040801-A1	02-27-2003	Ralph et al.	
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	AL1*	US-2003/0149438-A1	08-07-2003	Nichols et al.	
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Examiner Signature		Date Considered	
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/784,628-Conf. #8401
				Filing Date	February 23, 2004
				First Named Inventor	Joseph P. Errico
				Art Unit	3733
				Examiner Name	J. Cumberledge
Sheet	2	of	4	Attorney Docket Number	SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV

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Examiner Signature		Date Considered	
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				Filing Date	February 23, 2004
				First Named Inventor	Joseph P. Errico
				Art Unit	3733
				Examiner Name	J. Cumberledge
Sheet	3	of	4	Attorney Docket Number	SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV

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	AX3*	US-6,280,458	08-28-2001	Boche, et al.	
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	AC4*	US-6,428,544	08-06-2002	Ralph et al.	
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	AH4*	US-6,478,801	11-12-2002	Ralph et al.	
	AI4*	US-6,517,580	02-11-2003	Ramadan et al.	
	AJ4*	US-6,527,786	03-04-2003	Davis et al.	
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	AT4*	US-6,641,614	11-04-2003	Wagner et al.	
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	AX4*	US-6,669,699	12-30-2003	Ralph et al.	
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	AD5*	US-6,981,990	01-03-2006	Keller et al.	
	AE5*	US-7,022,139	04-04-2006	Errico et al.	
	AF5*	US-7,118,579	10-10-2006	Michelson	

FOREIGN PATENT DOCUMENTS				
Examiner	Foreign Patent Document	Publication	Pages, Columns, Lines,	

Examiner Signature	Date Considered
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				Art Unit	3733	
				Examiner Name	J. Cumberledge	
Sheet	4	of	4	Attorney Docket Number		SPINE 3.0-437 CIPCIPCIPCIPCIPCON IV

Initials*	Cite No. ¹	Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	WO-01/62191-A2	08-30-2001	SDGI Holdings, Inc.		
	BB	WO-94/04100-A1	03-03-1994	Societe De Fabrication De Material Orthopedique - Sofamor		
	BC	EP-1 222 903-A1	01-12-2001	Waldemar Link (GmbH & Co.)		

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